

224141

STATE OF SOUTH CAROLINA

(Caption of Case)

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

Application of Cricket Communications, Inc.  
for designation as an Eligible Telecommunications  
Carrier pursuant to Section 214(e)(2) of the  
Communications Act

DOCKET  
NUMBER: 2010 - 21 - C

(Please type or print)

Submitted by: John M. S. Hoefer, Esquire

SC Bar Number: 4549

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☒ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input checked="" type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input checked="" type="checkbox"/> Other: Verified Testimony
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	



RETURN TO  
SERVICE

**WILLOUGHBY & HOEFER, P.A.**

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TRACEY C. GREEN  
ALAN WILSON  
SPECIAL COUNSEL

\*ALSO ADMITTED IN TX

May 25, 2010

**VIA HAND DELIVERY**

The Honorable Jocelyn D. Boyd  
Interim Chief Clerk/Administrator  
**Public Service Commission of South Carolina**  
101 Executive Center Drive  
Columbia, South Carolina 29210

RECEIVED  
PUBLIC SERVICE  
COMMISSION  
MAY 26 2010

RE: Application of Cricket Communications, Inc. for designation as an  
Eligible Telecommunications Carrier pursuant to Section 214(e)(2) of the  
Communications Act. Docket No.: 2010-21-C

Dear Ms. Boyd:

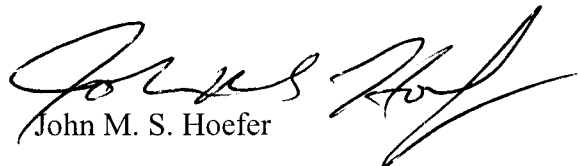
Enclosed for filing on behalf of Cricket Communications, Inc. are the original and one (1) copy of the Verified Testimony of Julie S. Buechler and the Applicant's Motion for Expedited Review in the above-referenced matter. By copy of this letter, I am serving the Office of Regulatory Staff with a copy of same and enclose a certificate of service to that effect.

I would appreciate your acknowledging receipt of these documents by date-stamping the extra copy enclosed and returning the same to me via my courier.

If you have any questions or if you need any additional information, please do not hesitate to contact us.

Sincerely,

**WILLOUGHBY & HOEFER, P.A.**

  
John M. S. Hoefer

JMSH/cf  
Enclosures

cc: C. Lessie Hammonds, Esquire

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2010-21-C**


RECEIVED  
MAY 25 2010  
SOUTH CAROLINA  
PUBLIC SERVICE COMMISSION

IN RE: )  
)  
Application of Cricket Communications, )  
Inc. for designation as an Eligible )  
Telecommunications Carrier pursuant )  
to Section 214(e)(2) of the )  
Communications Act )  
\_\_\_\_\_ )

**CERTIFICATE OF SERVICE**

This is to certify that I have caused to be served this day one (1) copy of the **Verified Testimony of Julie S. Buechler and Applicant's Motion for Expedited Review** by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

C. Lessie Hammonds, Esquire  
**Office of Regulatory Staff**  
Post Office Box 11263  
Columbia, South Carolina 29211

  
\_\_\_\_\_  
Clark Fancher

Columbia, South Carolina  
This 25<sup>th</sup> day of May, 2010.

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

Docket No. 2010-21-C

Application of )  
**Cricket Communications, Inc.** )  
for Designation as an Eligible )  
Telecommunications Carrier )  
Pursuant to Section 214(e)(2) of )  
the Communications Act )

**MOTION FOR EXPEDITED REVIEW**

Cricket Communications, Inc. (“Cricket”), pursuant to R. 103-829 of the Commission’s Rules of Practice and Procedure, hereby moves for expedited review of its application in the above matter. In support of this motion, Cricket would respectfully show as follows:

1. Cricket is a Delaware corporation currently designated by this Commission as an Eligible Telecommunications Carrier (“ETC”) in certain portions of South Carolina, namely Beaufort, Hampton and Jasper counties, pursuant to Order No. 2007-804 in Docket No. 2003-227-C.

2. On January 7, 2010, Cricket filed an application seeking designation as an ETC solely for the purpose of receiving low income support from the Federal Universal Service Fund, in certain portions of Berkeley, Charleston, Colleton, Dorchester, Lancaster and York counties.

3. Pursuant to the instructions of the Commission’s Docketing Department, Cricket timely published in newspapers of general circulation a prepared notice concerning its application.

4. There are no intervenors in this matter and no letters of protest have been filed. By virtue of S.C. Code Ann. §58-4-10(B) (Supp. 2009), the Office of Regulatory Staff (“ORS”) is a party of record and has appeared in this matter through counsel.

1  


5. On April 15, 2010, Cricket pre-filed the Direct Testimony and supporting exhibits of Julie E. Buechler in connection with this application.

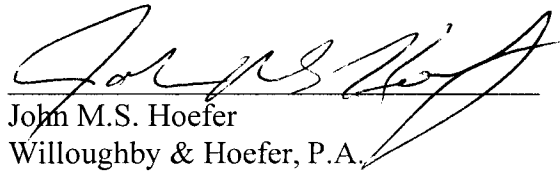
6. On May 18, 2010, Cricket entered into a Stipulation with the ORS pursuant to S.C. Code Ann. §1-23-320(F) (Supp. 2008). Thereunder, the parties have stipulated to the terms and conditions under which Cricket should be permitted to become designated, and operate, as an ETC, that ORS does not oppose the granting of Cricket's application for ETC designation in the specified wire centers in the aforementioned counties and that ORS does not oppose expedited review of the application for designation pending in the instant docket. This Stipulation has been filed by counsel contemporaneously herewith. Also filed contemporaneously herewith and in support of the instant motion is the Verified Testimony of Julie E. Buechler.

7. In light of Cricket's submissions to the Commission in accordance with the comprehensive requirements of S.C. Code Ann. Regs. 103-690, the parties' stipulations, and the absence of any opposition to the designation sought in this docket, Cricket requests expedited review of its application. Specifically, Cricket moves that the Commission (1) permit the application, the parties' stipulations and the verified testimonies of Julie Buechler to constitute the hearing record in this matter as contemplated by S.C. Code Ann. §1-23-320(G) and (2) not require that a formal hearing be held but allow this matter to be informally disposed of based upon the hearing record, as proposed above, in accordance with S.C. Code Ann. §1-23-320(F).

8. The undersigned certifies that counsel for ORS, C. Lessie Hammonds, Esquire, has informed Cricket that ORS does not oppose the instant motion.

WHEREFORE, having set forth its motion, Cricket requests that the Commission grant this motion for expedited review and such other and further relief as is just and proper.

<sup>2</sup>  

John M.S. Hoefer  
Willoughby & Hoefer, P.A.  
Post Office Box 8416  
Columbia, South Carolina 29202-8416  
803-252-3300

Attorneys for Cricket Communications, Inc.

Columbia, South Carolina  
This 25<sup>th</sup> day of May, 2010